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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

WILLIAM ROLLE AND COLLEEN	:	
ROLLE, His Wife,	:	
	:	
	:	
Plaintiff(s),	:	
	:	
v.	:	
	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	Civil Action No.:
	:	
	:	
	:	
COMPLAINT		
	:	
Defendant(s).	:	
	:	
	:	
	:	

Plaintiffs, William Rolle and Colleen Rolle, his wife, residing at 601 Summit Avenue, in the Borough of Westville, County of Gloucester and State of New Jersey, by way of Complaint says:

JURISDICTION

1. The Plaintiffs are citizens of the State of New Jersey, residing in the Borough of Westville and County of Gloucester.

2. The Defendant, United States of America, is a public entity.

3. By passage of the Federal Tort Claims Act, 28 U.S.C. Section 1346 (b) and 28 U.S.C. Section 2671-2680, the Defendant, United States of America, has consented to be sued in actions sounding in tort and Section 1346 (b) of said Act specifically grants the Federal District Courts exclusive jurisdiction over torts allegedly committed by the Defendant, United States of America, its agencies, agents, servants, and/or employees.

4. The jurisdiction of this Court is predicated upon 28 U.S.C. Section 1346 (b) and upon 28 U.S.C. Section 1331 in that it arises under the laws of the United States of America.

5. The amount in controversy potentially exceeds the sum or value of \$75,000.00 exclusive of interest and costs.

6. Plaintiffs presented their claim to the appropriate federal agency, the United States Postal Service, in accordance with 28 U.S.C. Section 2671 et seq., or otherwise. Said federal agency never formally denied the Plaintiffs' claim or did not otherwise respond to Plaintiffs' claim. Accordingly, the Plaintiffs have exhausted their administrative remedies pursuant to 28 U.S.C. Section 2675.

FIRST COUNT

1. On or about May 9, 2019, Plaintiff, William Rolle, was lawfully on the premises known as the United States Post Office, located at 421 Benigno Blvd, in the Borough of Bellmawr, County of Camden and State of New Jersey.

2. At all times herein, Defendant, United States of America, owned, occupied,

operated and/or maintained the premises commonly known as the United States Post Office, located at 421 Benigno Blvd, in the Borough of Bellmawr, County of Camden and State of New Jersey.

3. Defendant, United States of America, did so negligently and carelessly, own, occupy, operate, manage, supervise and/or maintain the aforesaid premises so as to cause dangerous conditions to exist thereon.

4. Defendant, United States of America, did so negligently and carelessly, hire, instruct, manage, supervise and/or train its employees at the foresaid premises which resulted in Plaintiff William Rolle being struck by a forklift negligently operated by Kenny Wilson a postal employee of Defendant United States of America.

5. As a direct and proximate result of the negligence of the Defendant, as foresaid, Plaintiff, William Rolle, was caused to sustain and did sustain serious and permanent personal injuries when he was struck by a negligently operated forklift, requiring the care and treatment of physicians, hospitalization and medication, and has been and will in the future continue to be hampered in his daily routine.

WHEREFORE, Plaintiff William Rolle, demands judgment against the Defendant United States of America, in the amount of his damages, together with interest and cost of suit.

SECOND COUNT

1. Plaintiffs, William Rolle and Colleen Rolle, his wife, repeat the allegations in the preceding paragraphs as if same were set forth in detail herein.

2. At all times material hereto, the Plaintiff, Colleen Rolle, was the wife of Plaintiff William Rolle.

3. As a proximate result of the collective negligence and carelessness of the

Defendant, as aforesaid, the Plaintiff, Colleen Rolle, has in the past and will in the future be required to expend large sums of money for medical care for the alleviation of the suffering of Plaintiff William Rolle and, has in the past and will in the future be deprived of the services, earnings, comfort, companionship, advice, society and/or consortium of her said husband.

WHEREFORE, Plaintiffs, William Rolle and Colleen Rolle, his wife, demand judgment against the Defendant United States of America, in the amount of his damages, together with interest and cost of suit.

**JAVERBAUM WURGAFT HICKS KAHN
WIKSTROM & SININS**
Attorneys for Plaintiffs

/s/ Michael A. Galpern

September 9, 2022

Michael A. Galpern, Esquire

NOTICE OF TRIAL COUNSEL

Please take notice that Michael A. Galpern, Esq. is hereby designated as Trial Counsel in the above-captioned matter for the firm of Javerbaum Wurgafit Hicks Kahn Wikstrom & Sinins, Pursuant to Rule 4:25 et. Seq.

CERTIFICATION OF COUNSEL

I, Michael A. Galpern, Esquire, hereby certify that the following statements made by me are true to the best of my knowledge:

- a. This action as pled is not presently subject to any other action or arbitration proceeding.
- b. No other action or arbitration proceeding is contemplated at this time by counsel.
- c. I am unaware of any other parties who should be joint in this action.

I hereby certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**JAVERBAUM WURGAFT HICKS
KAHN WIKSTROM & SININS, P.C.
Attorneys for Plaintiff**

September 9, 2022

By: _____
Michael A. Galpern, Esquire